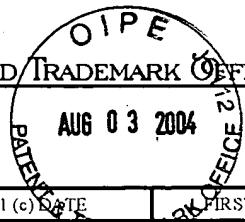


8/04/04

Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE



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IFW#

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,640	01/29/2004	Steven S. Watanabe	112056-0171

CONFIRMATION NO. 5422

24267

CESARI AND MCKENNA, LLP
 88 BLACK FALCON AVENUE
 BOSTON, MA 02210

FORMALITIES LETTER



OC000000012969016

Date Mailed: 06/17/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

08/05/2004 MAHMED1 00000053 10767640

01 FC:1051

130.00 0P

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENTS
112056-0171
P01-1599

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:)
Steven S. Watanabe et al.)
)
Serial No.: 10/767,640)
)
Filed: January 29, 2004)
)
For: SYSTEM AND METHOD FOR)
COORDINATED BRINGUP OF A)
STORAGE APPLIANCE IN A)
CLUSTER CONFIGURATION)
)
Examiner: Not yet assigned
)
Art Unit: 2186
)
Cesari and McKenna, LLP
88 Black Falcon Avenue
Boston, MA 02210
August 3, 2004

EXPRESS-MAIL DEPOSIT

“Express Mail” Mailing-Label Number: EV 335588090 US

The following papers are being deposited with the United States Postal Service
“Express Mail Post Office to Addressee” service pursuant to 37 C.F.R. §1.10:

Power of Attorney
 Fee Transmittal Letter

Check No. 28993 for \$170
 Notice of Missing Parts

Oath or Declaration
 Assignment With Recordation Form

Cover Sheet
 Return Receipt Postcard



AUG 03 2004

Patent and Trademark Office/SB/17 (10-03)
 Approved for use through 04/30/2003. OMB 0651-0032
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant Claims Small Entity Status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

170

Complete if Known

Application Number	10/767,640
Filing Date	January 29, 2004
First Named Inventor	Steven S. Watanabe et al.
Examiner Name	Not yet assigned
Group Art Unit	2186
Attorney Docket No.	112056-0171

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Other None
 Deposit Account Order

Deposit Account Number 03-1237
 Deposit Account Name Cesari and McKenna, LLP

The Commissioner is authorized to: (check all that apply)
 Charge any deficiency or
 Charge fee indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	2001	750	375	Utility filing fee	
1002	2002	330	165	Design filing fee	
1003	2003	520	260	Plant filing fee	
1004	2004	750	375	Reissue filing fee	
1005	2005	160	80	Provisional filing fee	
SUBTOTAL (1) (\$)		0			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Fee from Claims below	Fee Paid
Total Claims <input type="text"/> - 20** = <input type="text"/> x <input type="text"/> = <input type="text"/> 0	
Independent Claims <input type="text"/> - 3** = <input type="text"/> x <input type="text"/> = <input type="text"/> 0	
Multiple Dependent <input type="text"/> = <input type="text"/> 0	

Large Entity	Small Entity	Fee Description
1202	2202	18 9 Claims in excess of 20
1201	2201	84 42 Independent claims in excess of 3
1203	2203	280 140 Multiple dependent claim, if not paid
1204	2204	84 42 **Reissue independent claims over original patent
1205	2205	18 9 **Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		0

*or number previously paid, if greater; For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	130
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English Specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	410	2252 205 Extension for reply within second month	
1253	930	2253 465 Extension for reply within third month	
1254	1,450	2254 725 Extension for reply within fourth month	
1255	1,970	2255 985 Extension for reply within fifth month	
1401	320	2401 160 Notice of Appeal	
1402	320	2402 160 Filing a brief in support of an appeal	
1403	280	2403 140 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,300	2453 650 Petition to revive - unintentional	
1501	1,300	2501 650 Utility Issue fee (or reissue)	
1502	470	2502 235 Design Issue fee	
1503	630	2503 315 Plant Issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	40
1809	750	2809 375 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810 375 For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801 375 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify)			
Other fee (specify)			
SUBTOTAL (3) (\$)		170	

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Duane H. Preget	Registration No. (Attorney/Agent)	48,836	Telephone	(617) 951-2500
Signature				Date	August 3, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS